After 17 years in California dungeon prisons, Ruchell Magee Released from Pelican Bay's isolation to mainline (see page 3)

COMMEMORATOR

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A living wage for all: Solution to the nation's economic ills

By Commemorator staff

Popular demand for putting more money in the hands of the low-income majority of American workers echoed from the streets of California to gatherings of economists in Washington D.C. this fall, while mainstream media virtually ignored the desperate struggle beginning to take organized shape towards the goal of ending twenty-seven years of plundering the United States' economy to enrich 0.3 % of the population.

Protests erupted in California starting in July when the state Industrial Welfare Commission announced a series of hearings to find out whether the minimum wage of $4.25 an hour provides "a living wage." No one in the state except the five members of the commission seemed to have any doubt as to the answer. In fact, up through the month of November, hundreds of working people crowded hearings on the minimum wage, sponsored by the state Industrial Welfare Commission. Inside and out the hearings, attendees told of their hardships and struggles living off the current minimum wage of $4.25 per hour and called for the state to increase the minimum wage to a level equal to the cost of living in a given area of the state.

In the San Francisco Bay Area, over 100 trade union leaders crossed over to join the informational picket line established by Save Our Cities teams and the Bay Area Workers Benefit Council demanding a complete overhaul of the entire notion of "minimum wage," in favor of a living wage which would generally require nearly half the output dollar of any industry go to the labor that keeps it running.

In the meantime, in Washington D.C., 101 economists including three Nobel prize winners endorsed an increase in the federal minimum wage, noting that "the purchasing power of the minimum wage is 26% below its average level during the 1970's."

"It's about time these economists recognized that jobs for everyone at living wages provide the consumer

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Photo by Paul Neuman

Above: In Sacramento, and Los Angeles, minimal wage protesters take on the fight for wage increase, demanding a living wage for all.

Spiritual advisor ends 27-day fast, protesting religious bias and California prisons contract labor policies

By Commemorator staff

California Department of Corrections is discriminating against Native American religious practice according to Fred Short, a Chippewa spiritual advisor who recently ended a 27 day fast to protest financial and employment practices that have denied prisoners access to traditional religious ceremonies and counseling. Applying a new twist of the trend toward hiring temporary workers throughout American industry and government, while privatizing government functions and authority, Short was brought into San Quentin Prison under a private contractor, denied payment for costs or services, and told he would need a business license to practice his religion.

Mr. Short, who is from the Sacramento area, has been involved with the American Indian Movement and the Longest Spiritual Walk for Justice since 1976. He has been recognized as a Spiritual Advisor with the Movement for the past 10 years.

He began his fast September 8, charging CDC's San Quentin prison and other California prisons with denying Native American inmates an amenable atmosphere, and the necessary resources to practice their traditional religious ceremonies, while other spiritual advisers and priests; Catholics, Protestants, and Muslims

Courtesy of Darlene Brown

Native American spiritual advisor Fred Short was denied wages and discriminated against by the California Department of Corrections under contract labor.

are provided with the resources, atmosphere, and the things they need to carry out their worship. "Discrimination is what this fight is about," stated Short.

Short, who has since 1972 volunteered in California prisons on behalf of Native American inmates, was hired by Corrections Department's private contractor Johnathan Hill of Modesto for work at San Quentin state prison. He was never paid, and

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Editorials

For the record

In the Vietnam War era, journalists were heavily urged by government officials, up to and including then Vice President Spiro T. Agnew, to cease accurate and factual reporting of the nation's internal political upheaval, i.e., to stop working and writing in accordance with the traditions of American journalism. In fact, Agnew, in a speech to America's corporate leaders, told the nation's corporate advertisers not to purchase space in newspapers and publications which covered anti-war movement activities because it would support the enemy, and cause the death of American soldiers in Vietnam. He added that by covering the anti-war movement, news organizations and corporate advertisers were giving the North Vietnamese hope of victory through the media that they could not win in battle.

Writers like Ed Montgomery of the *San Francisco Examiner* were notorious for serving as a conduit for "police sources." But journalists and their organizations and associations, both right and left, still frowned upon catering to the criteria and whims of one publisher or another for economic or other reasons. It remained unacceptable for all true journalists to perpetuate the fallacy that journalism is objective. For instance, one would never quote a police source as fact — there would have to be a qualifier, attributing any quote to police sources, e.g. "Police sources say..." Nevertheless, Ed Montgomery, known for writing negative stories about Huey P. Newton and the Black Panther Party, tore down professional journalistic standards: drawing the ire of right and left alike, by printing information from the district attorney as fact without checking sources or printing contrary information! In the '50s, Montgomery, then working for the *San Francisco Examiner*, won a Pulitzer Prize for his crime reporting, and his fellow Newspaper Guild members voted it back from him for his unethical coverage.

Ed Montgomery is dead now, but his irreputable style lives on. Another poignant example of this tendency can be found in the writings of Hugh Pearson, a young black writer, who rose to fame by publishing a blatantly fraudulent account of the life and times of Huey P. Newton and the Black Panthers. The first pages of "Shadow of the Panther" accuse Huey Newton of going to Cuba to "hook up" with Fidel Castro to work out an international cocaine deal. His source: The Federal Bureau of Investigation and other "official reports." That this is a preposterous accusation goes without saying, and that Hugh Pearson, following the Montgomery-piloted method, openly printed the works of these sources as fact, is unprofessional, amateurish, misleading, and dangerous—not just dangerous to the profession of journalism, but to the people who read this disinformation as news.

Former Black Panther Party member Raymond Joe stated recently, "Hugh Pearson, who writes for the *Wall Street Journal*, and others, owe their 'successful' careers to selling out the Black Panther Party and other progressive, labor, and civil rights organizations, attacking these groups using police and FBI reports. This kind of yellow journalism leads to celebrity status, book contracts, and talk-show promotions. With this type of journalism supported by the standard bearers of the corporate media, one does not have to get to the cause of profound social and economic problems, but just learn the skill of blaming the victim by portraying the victim as the culprit."

Former Black Panther Party member and award-winning radio and newspaper journalist Mumia Abu-Jamal, framed by the Philadelphia police department, is now on death row, as a result of false police reporting and collusion between police, prosecutor and judge. Mumia was charged and convicted of a murder he did not commit. According to eyewitnesses and the forensic report, Mumia could not have committed the murder. But, because he was a thorn in the side of the city establishment, he was targeted for his political views and, finally, set up by the Philadelphia police, with the notorious Judge Albert Sabo's backing.

Pearson's latest masterpiece of misinformation appeared in the August 23, 1995 issue of the New York Time's Op-Ed section, where he urges liberals and well-meaning types who support Mumia Abu-Jamal to look at the record, thereby facilitating "second thoughts," or turnaround of position in the matter. According to Pearson, "The indefinite stay of execution order wouldn't have been issued, if so many prominent people uninformed about the facts of the case, hadn't lent their support to Mr. Jamal's cause."

Well, what record is Mr. Pearson referring to? As we read through his *Wall Street Journal* article, he reviews only some of "the record." We find Pearson means for us to read only the Abu-Jamal case police records, police reports, statements taken by police officers at the scene, interrogations, police investigative reports and prosecution "witnesses" testimony in "court records." We cannot pretend that Hugh Pearson is so naive, or think the people so stupid as to believe that the Philadelphia Fraternal Order of Police, of which the presiding judge is an alumnus, and of which the arresting officers are members, is an objective entity in this matter, not capable of falsifying reports, coercing

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What is the real story?

By Edward "Sammy" Herron

Why do Black Brothers fight one another? ... Not over race, breed or color. Is it over drugs, guns or territory... NO! What is the real story? Well, coming from a family that taught violence isn't the way doesn't make much difference if you are raised in a community that has been robbed of all economic means and now is forced into violence and crime as a substitute economy. Still, the questions is "Why?"

A community that has been knocked down and demoralized by economic withdrawal restricts the black man from society's so called moral methods of survival Therefore he is left with no choice but to survive by any means necessary. But, being from a non-violent family, I see the need for an awakening in the communities where I was raised on Long Island. I know that I'm not the only one to see this happening to the Black Brothers and Sisters of these communities or any other black communities.

So what does "Stand up for Your Right, Don't Give Up the Fight!" really mean?

The fight is for jobs and better wages and to take back the fruits of our labor the government is bleeding from us. They divide and conquer the black community. The elimination of decent living wages and jobs is part of an "urban removal" effect implanted in our communities. They want us out; how they do it, they don't care. So why be a victim to one another when we have the voice, the history and the militancy to truly identify those who are making us fight each other in the first place?

We must united and organize all oppressed people — black, brown, yellow, red and white — and put forth the power of organization to regain what and who we truly are. Organization of the black race united with all oppressed peoples will bring to us a personal and united class rising up within our communities, while it will also create a devastating blow to our oppressor's methodology of keeping us down.

Every brother and sister must make a true analysis of their troubles. Look at the root cause of your problems! Is it your neighbor who is making you struggle to pay your rent and bills? No, because most of us are having the same problem.

Organize. Study your history that is filled with famous inventors, explorers, architects and civil rights participants. Remember how they overcame their obstacles and survived to produce this generation of blacks. They didn't do it

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Opinions and positions taken in articles with bylines are those of their writers. The views expressed in the bylined editorial and opinion pieces published by The Commemorator *do not* necessarily *indicate its endorsement or support. —The Editor*

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"SERVING ALL OPPRESSED COMMUNITIES"

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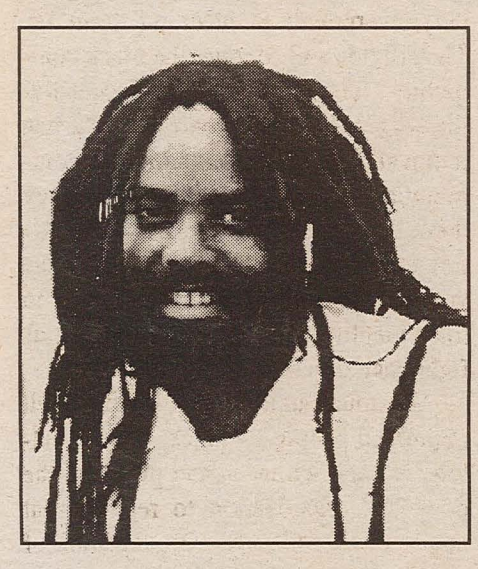


The Power of Money

By Mumia Abu-Jamal

The quick verdict in the O.J. Simpson trial has ripped the covers off the naked flesh of race in the U.S. criminal justice system, and in society as well.

Factions, sectors and divisions have erupted in all areas of American life, with fury, born of fear.

The Simpson verdict did not create these factions, sectors and/or divisions—it merely highlighted those already in existence.

Depending on the perspective of who speaks, the O.J. verdict is seen as either: 1) a rare victory for Blacks in court; or 2) an injustice.

Why is it so rarely seen that the O.J. verdict is only truly possible to those who possess enormous wealth?

Why was his acquittal a "Black victory" if it literally cost almost $4 million?

How many Blacks can raise such an outlandish sum, even if their lives and liberties are at stake?

Make no mistake, dear readers, O.J. Simpson is a free man today because he was a multimillionaire whose wealth was utilized to secure his freedom. Like Claus von Bulow, the Rhode Island socialite who spent an estimated one (1) million dollars on appeal; like Mr. Davis, a millionaire businessman in Houston, Texas, charged with several murders and an attempted murder of his wife, like all those of wealth know: Money talks.

Does anyone in America seriously think that Black juries don't convict Black defendants?

There are many doing long sentences if not death sentences across Pennsylvania, Ohio, California and beyond who were sent there by predominantly Black juries.

There are thousands (if not tens of thousands) of Blacks in federal prisons across the United States who are there because mostly Black juries in the District of Columbia sent them there.

The published opinion of Simpson prosecutor Marcia Clark, to the point that "Black juries won't convict Black defendants" is a damnable lie, damned by a record that shows otherwise.

The trial has proved something else: Most Americans don't give a tinker's damn about "reasonable doubt."

The claim of "reasonable doubt" being the common standard in American law is the legal equivalent of the lover's promise that he won't come.

It is a legal fiction that, this once, a jury took seriously, and witness the result!

If O.J. Simpson were a poor man of no influence, with the exact same errors in his case, he would still be on Death Row, for without money for good investigators, good jury specialists and good lawyers, who would know that such errors ever existed?

The O.J. Simpson case is so far from the average Black defendants; as to be, in effect, in another universe. Indeed, truth be told, the Simpson case is worlds away from the average white defendant's experience!

The angered, fevered reaction to the Simpson verdict reflects how deeply ingrained the notion of white supremacy is in American life.

It sticks in America's craw that a "nigger" can be acquitted in the double-slash-killing of two white people—even a "millionaire nigger."

This goes against the grain of over two centuries of American custom and tradition, and "wasn't supposed to happen?"

That it did happen rocked white America, and will be used as a cudgel to batter Black American interests for some time to come.

Ultimately, the defining element in this case will be seen not as black, nor white, but as green—for the color of money.

The Slave Train

One year after his murder trial began, O. J. Simpson was acquitted. A common reaction was that, "the system works for every American."

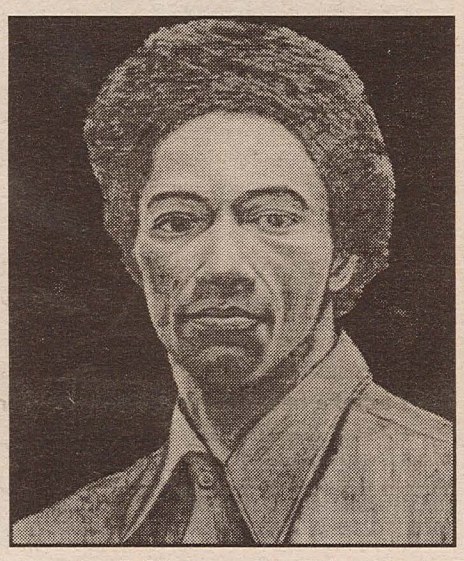
My reaction is that the O. J. Simpson case, and the facts that came out of it concerning police officer Mark Fuhrman, can be used to free many victims of police frame-ups.

Officer Fuhrman's statements are not empty, isolated gestures as some try to portray them. Police frame-ups based on race are a reality in the unchecked, repressive, slave system in America.

I have repeatedly written that unless the slavery practiced here is brought under public scrutiny, the practice of slavery in the name of law and order will continue to sit on the mean throne of fascism.

It will be interesting to see what O. J. has learned about the criminal justice system over the past year. At one time, O.J. probably didn't know that the media will admit any imaginable kind of evidence in an attempt to falsely establish the guilt of a defendant, and through this action, hide the need for open rebellion against the police and prison system. If he understands more clearly now, will he use what he has learned to help free others currently in jail on police frame-ups?

The Fuhrman tape is an ugly, ugly revelation about a system out of control. To Fuhrman, and the police system in general, Blacks like myself in prison, are the permanent outcasts of society, based on their skin color.



Drawing by Killu Nyasha

Ruchell Magee, political prisoner and the only survival of the August 7, 1970 slave revolt at Marin County courthouse in California.

August 7, 1970 was the day I broke the fetters of my oppression, and surfaced through the wound inflicted on my comrade, the Honorable Jonathan Jackson, who reacted by seizing the Marin County Court House in an attempt to free his brother, George H. Jackson. (EDITOR'S NOTE: At this time, the author was in court on an unrelated robbery charge. See explanation below.)

Unlike O. J., Jonathan didn't have $4 million to free his brother from a plot by prison officials to kill him. Jonathan used guns to arm James McClain, William Christmas and myself. In reporting on the bloody shoot-out which left 17 year old Jonathan, two prisoners, and a Superior Court judge dead, the court system worked desperately to build a racist atmosphere in order to hide the truth, and to keep the public away.

The truth is yet to be told. George Jackson was set up to fight an ongoing race war, manipulated by prison officials in conspiracy with corrupt politicians, judges and lawyers, who have become ever more desperate in their plot to oppress and exploit a society. Yet increasingly, it becomes difficult to hide the abuse of power involved in building Nazi-type prisons like Pelican and Corcoran, where inmates keep dying, fighting themselves over turf nobody wins.

Out of fear that I might reveal the L.A. County Police frame-up, California Attorney General Evelle T. Younger stepped in on November 10, 1970 and charged Angela Davis and myself with the kidnap and murder of Judge Haley, in an attempt to break three inmates out of prison.

Younger was the Chief District Attorney in my July 1965 L. A. trial at which I was issued a life sentence by racist Superior Court Judge Herbert J. Walker in a conviction on kidnap in a $10 robbery The evidence was insufficient to convict. Younger's tactic was to use court-appointed lawyers to sabotage a Black defendant's not-guilty defense plea in a case of insufficient evidence to convict

On June 8, 1995, I filed a motion with the Superior Court of Los Angeles, challenging the 1965 conviction, adding a plea of previous judgment of conviction on acquittal. In addition, on September 5, 1995, I filed a writ of error coram nobis with the same L. A. court.

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Conversation with Assata Shakur

By Kenneth Snodgrass

This interview with Assata Shakur (pictured above) took place on May 3, 1995 in Cuba, where Shakur lives in exile. Assata Shakur was targeted by the U. S. government because of her involvement with the Black Panthers and the Black Liberation Army. Six times between 1971 and 1973 she faced trial on charges including murder, but was either acquitted or the charges were dismissed. Convicted of the 1973 murder of a state trooper on the New Jersey Turnpike, Shakur escaped from prison with the aid of other activists. She has lived in exile in Cuba since approximately 1978.

SNODGRASS: I had wanted to know what you felt you wanted, any kind of messages. A lot of people back in the states always are interested in your developments, how you're doing over here in Cuba since you've been in exile.

SHAKUR: Well I think the basic message that I want to send...I think that we have to be, more than at any other time in our history, we have to be analytical about what's happening to us. We have to watch very carefully about what is going on in this world.

We, at this point just cannot afford to be mass consumers of information...of trivia, of all these things that are put out there to keep our minds up in the air or busy with nonsense while we are in the process of disappearing from the face of the planet.

I think that right now we're in a situation that is extraordinarily difficult. We have a government that is totally indifferent to hostile to us. Certainly the Republican Congress is just outwardly hostile to people of color, African people, to poor people, and are proposing so-called solutions that hinge on absolute genocide. When you talk about not only throwing people off welfare and not providing jobs programs, training programs,anything else — just total, cold die — when you talk on those terms; then when you talk about you're going to take people's children away from them and put them in orphanages? ...How much more facist can you get. So I think we cannot afford the luxury of just being passive at this moment....We need to really have our minds and our bodies focused on what is happening to us and start dealing with what are we going to do? Because we're in a situation now which is really worse than the situation I think we were facing in the segregated 1950s because at least we had some remedy in the court. There was a Supreme Court that might make a favorable decision. A hostile government, a hostile court, hostile police, hostile schools and every social program that has been of some help, the government is trying to eliminate.

We have consistently been denied employment. We've been denied education. We have faced a brick wall every way we have turned, and now the government says, "We don't owe you anything. We have no debt to you. What you are are freeloaders. What you are are people who don't want to work." There's a whole slavery-type image of lazy darkies who don't want to work. Just want welfare. And when we talk about jobs, there are none. When we talk about we want scholarships, when we talk about we want programs, there are one. People that talk about affirmative action — I'm for affirmative action except that it has never been very affirmative nor has it been very active. What affirmative action has been in most cases is too little too late and a few crumbs, the most minimal amount of crumbs, being thrown to us to try to pacify us.But really in terms of making fundamental changes in the power relations, in the economic relation of opppressed African people in the United States' government, political and economic systems, those fundamental changes have never been brought about. And we don't have to talk in terms of affirmative action. We need to talk about affirmative back pay, reparations and reparations now. Because there's a whole distortion of reality here, as if slavery was five minutes, as if we are not victims of oppression now, and that's crazy.

Continued next issue

White Skin Privilege

By Westley B. Williams

***White skin privilege* has long been considered a term applied to a race. That because one's skin is white, you enjoy privileges that people of other races don't.**

***White skin privilege* is a class-based phenomenon. It began to emerge during the advent of western European nationalism along with the rise of a ferocious competing mercantile capitalist class, overcoming a waning feudalism.**

In the seventeenth century, European nationalism led the Dutch, the British and the French to lay waste the eastern seaboards of the so-called New World. It became a lifestyle in the form of settlers, and merchants appropriating American Natives' land, along with the exploitation of their labor through the fur trade, and later the slave trade of Africans, purposely for slaves to labor in the tobacco and cotton fields of the South.

In a society which practices racialism, that is the use of race differences to further political aims, privileges are distributed to those who help further those aims. This task as historically been taken up by more than just whites.

Whites who have refused to join the system's racialist schemes and those that have chosen to go one step further and fight such a system, have quickly lost those privileges. Blacks, Native Americans, Hispanics, Asians, all have their share of those *white skin privileges.*

In the U.S., during the industralist era, and with a large surplus labor pool to keep wages low through scab labor, *white skin privilege was* made available to the most skilled, manufacturing jobs for European immigrants, although many poor whites worked slave wage jobs in coal mines, the meatpacking houses in the midwest, and on the railroads thoroughout most of the nineteen century. Through government and private policies, i.e., employment, public education and racial discrimination, a growing migration of European workers took advantage of *white skin privilegee* as SOP.

In the Black community the Bill Cosbys, Clarence Thomases, Oprah Winfreys, Colin Powells, all live off *white skin privilege*, because they have all taken up the responsibility of carrying out the program of the system. Clearly, they are not white, but they share heavily in the stolen wealth of this divisive system, more than some white-skinned people do. This is proof that *white skin privilege* goes deeper than skin, it cuts all the way down to political, economic, and social alliances. It defines what side you are on in the war to end poverty and injustice.

□

Letter to the editor

To who may open and read this letter:

First let me say that I was and still am a member of the Black Panther Party. I came out of the Suffolk division of the BPP under the leadership of Field Command Robert T. Burns who is no longer with us as of 1992, a true revolutionary to the end.

The push needs to be centered on the building of more grass root organizations. We do not need the bourgeoisie to live. We have made it this far without any aid from them.

I don't know if you guys are familiar with the MBA strategy. What it offers is a 10 point benefit system that's geared to meet the needs of the membership. It works!

Remember what happened after we allowed the government to fund the breakfast program? Iit became a target of opportunity for most, it also opened the doors to the enemy.

I hope to show how the MBA strategy works to my people, it survives without the aide of money from government or their agencies. It a beautiful machine that's been around since the early seventies.

My stay here is down to my last year. I'll walk out of this man's cage in Feb. of '97.

The propaganda of the Commemorator is to the point with facts. I love it and hope the readers are able to move forward to our overall objectives.

In struggle Venceremos,

P.S. would love to here from you guys. You may write to me at:

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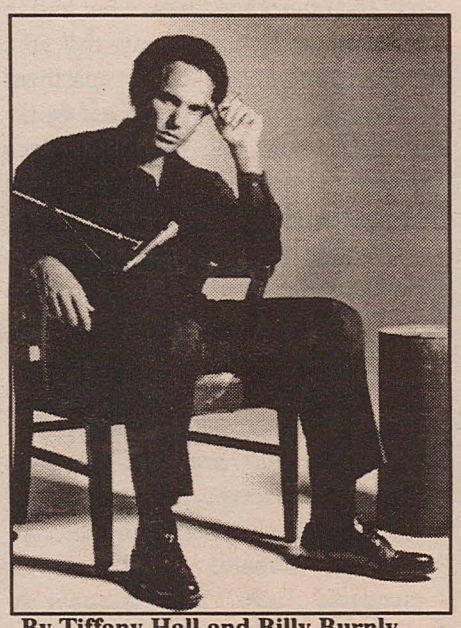

By Tiffany Hall and Billy Burnly

Award winning actor/teacher Roger Guenveur Smith is no stranger to the stage, nor to the big screen. Born in Berkeley, California, his stage accomplishments include the creation and the performance of ***Frederick Douglass Now, Christopher Columbus 1992****, and other pieces, including* ***Inside the Creole Mafia*** *and now* ***A Huey P. Newton Story*** *(which has won the NAACP Theatre Awards: Best Playwright/Roger G. Smith; Best Performace/Actor: Roger G. Smith; Best Play Producer: Steve Adams and Mark Seldis). Smith's past stage performances, include the New York Shakespeare Festival and the Guthrie Theatre. His screen career includes Panther, Malcolm X, School Daze, Deep Cover, King of New York, Poetic Justice, Tales from the Hood, and Do the Right Thing.*

A Huey P. Newton Story

For those who are not familiar with Huey P. Newton and the Black Panther Party (BPP) of the volatile 1960s and 1970s, Roger Guenveur Smith brings him off the mythological poster image with the spear and gun, as BPP premiere leader, and brings him into the eyes of reality, beginning with the Free Huey movement in Oakland, CalifoJrnia. For those who are familiar with Huey, A Huey P. Newton Story might almost have seemed eerie. Smith's one-man portrait captures both Newton's strengths and weaknesses in a way that rises above the stereotypes corporate media tent to fall into when dealing with anyone who challenges the status quo, especially militant African-Americans of the 1960s and 1970s.

The play began with a collage of musical and audio sounds by the talented Marc Anthony Thompson; from the Free Huey chant (during the Free Huey Movement of 1967), police sirens, a recording of a report of police harrassment, snippets of audio clips from the recent Panther movie, as well as some stomp-down blues (which was a favorite of Newton), with a backdrop image of the seagull flying over a crescent moon (a photo taken by Newton, while living in a penthouse apartment overlooking the Alameda court house). In 1967, Newton was indicted and arrested on the charge of murdering a policeman on the streets of West Oakland, which gave rise to the Free Huey Movement; and the charges against him were eventually dropped after he spent almost three years in California prisons.

It is within this atmosphere and backdrop that Smith's appearance, mannerisms (chain smoking), diction, voice, and the mastering of Newton's thoughts, culled from speeches, writing, poetry, interviews and conversations obtained from the Huey P. Newton Foundation, captured the character through the conscious choice of the monologue format. As Smith recites the Ten-Point Program, the audience is held captivated; as a matter of fact, the audience is captivated throughout the performance, because Smith is Huey from the time he hits the stage until the performance is over.

In portraying Newton, Smith weaves back and forth from the earlier years of the Black Panther Party: Newton as a strident, committed, electrifying, dedicated Black Panther revolutionary leader, to the declining years of the Black Panther Party, after the organization had been smashed by the government's many (some 233) attacks and infiltration through the FBI's counter intelligence program (COINTELPRO) and began withering away; Newton himself began withering away, seduced by cocaine and alcohol.

After the performance, Smith was asked by a member of the audience what motivated him to create A Huey P. Newton Story. "The project chose us," he said, referring to himself and composer, Marc Anthony Thompson, who is an accomplished musician in his own right "Huey is an inspiration," Smith continued. "As I gain inspiration on various experiences and stages of his life, the story evolves and may change. It all depends on what aspect of his experience and personality inspires me from one performance to the next. Huey had a very complex life."

On stage, Smith revealed the best and worse of Newton's private and public life in a way that almost mesmerized the audience, as Huey had done so many times in real life. "I hope that those who felt they knew Huey would get another view and those who didn't would gain some insight," said Smith. Smith did not duck the problems that followed Newton until his death but embraced them as Newton himself would have. One could not leave the theater giving credence to the one-dimensional smear campaigns against Newton since his death. Huey was a leader but he was also a product of the times, a time when a large portion of a generation of youth took up the struggle for a revolutionary cause.

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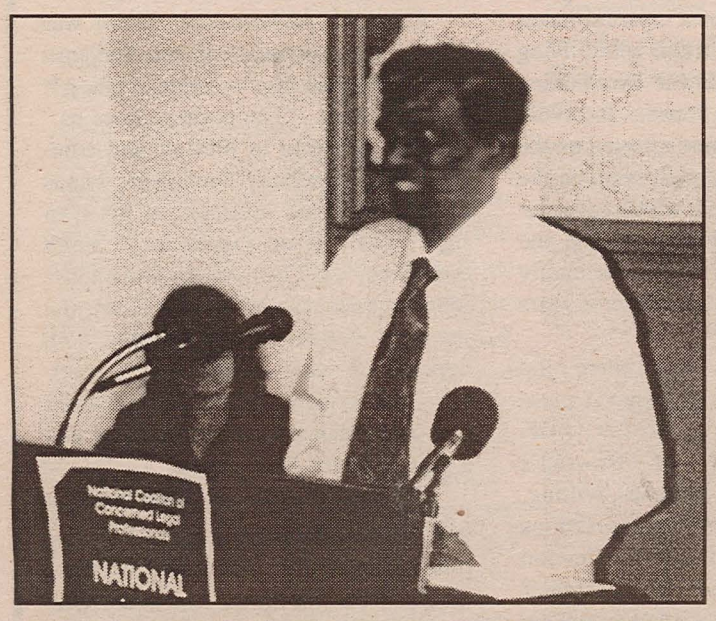
National Law Conference a huge success



N.T. Naicker of South Africa, and a former Defense attorney for President Nelson Mandela, gives the keynote address at NLC in S.F. CA

Above, Commemorator labor spokeman and editorial board member Leroy Dupree, and Melvin Dickson at National Law Conference. Below: Dickson and Commemorator Managing Editor Gary Johnson

Members of the Commemoration Committee for the Black Panther Party (CCBPP) attended a National Law Conference sponsored by National Coalition of Concerned Legal Professionals (CCLP) in San Francisco 7 October 1995. Prominent volunteer attorneys gathered to present facts of battles they engaged in on behalf of people in oppressed communities and accounts of the repression they faced for daring to take up those fights.

Also present was South African attorney, N.T. Naicker, a member of the African National Congress and signator of the South African Freedom Charter. Mr. Naicker pointed out the striking resemblance between conditions under the American legal system and those suffered by the freedom fighters of apartheid South Africa. He admonished the attorneys present to persevere in the struggle. As a young lawyer, he and many other revolutionary freedom fighters including Nelson Mandela, committed themselves to the struggle and did not give up. "The commitment was so great that everyone knew what had to be done; everyone knew that the enemy was rooted in the apartheid system, that the exploitation of workers in the gold and diamond mines under slave conditions, was what was behind apartheid."

In addition to highlighting the growing problem with the American criminal justice system, where only one percent of United States attorneys represent 95 percent of the population and where attorneys standing up for the poor are persecuted as criminal themselves, the conference collectivized volunteers to take on roles to expand Coalition of Concerned Legal Professionals in California and Oregon.

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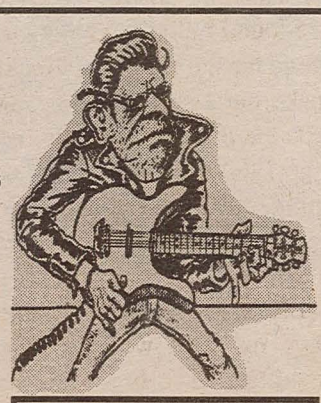


Free Mumia!

International Update

President Fidel Castro's Speech in Harlem

SPEECH GIVEN BY COMMANDER IN CHIEF FIDEL CASTRO RUZ, FIRST SECRETARY OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CUBA AND PRESIDENT OF THE COUNCIL OF MINISTERS, IN THE SOLIDARITY ACT WITH CUBA THAT TOOK PLACE IN THE ABYSSINIAN BAPTIST CHURCH IN THE NEIGHBORHOOD OF HARLEM, NEW YORK, THE 22ND OF OCTOBER, 1995, "CENTENNIAL OF THE DEATH IN BATTLE OF JOSE MARTI."

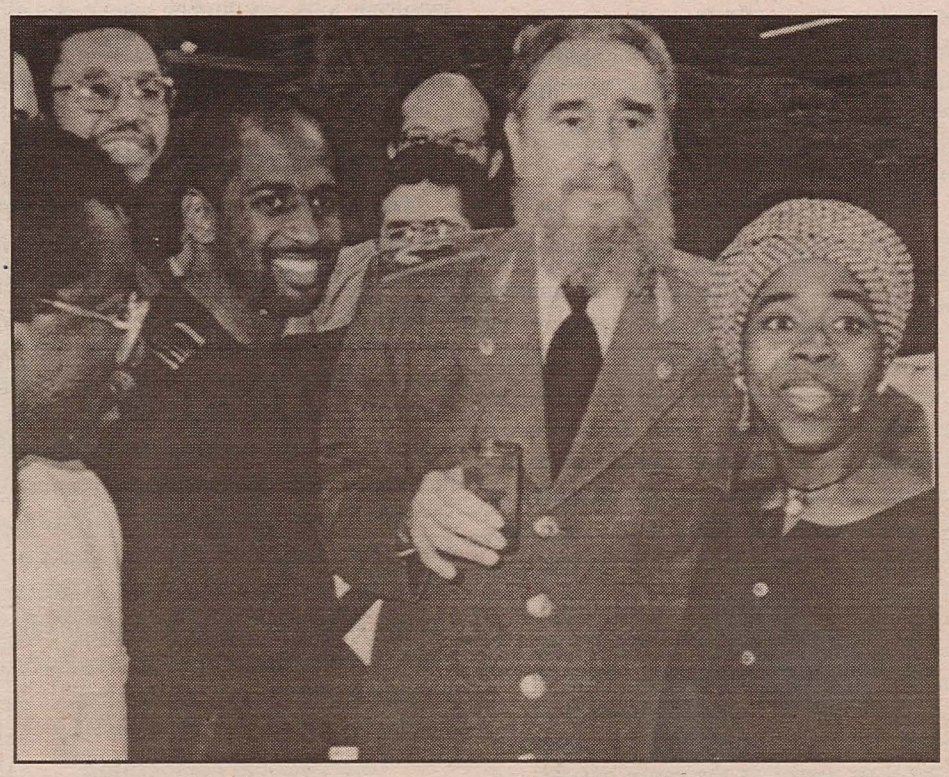
Dear, or, better yet, very dear friends:

Someone who preceded me—I don't know if it was Rose Mary or Butts—said that many asked themselves why I was received in this church, and he told interesting anecdotes from the time that they had taken me to the other church; I should talk about that, too (LAUGHTER). But the thing is that not only some of you asked yourselves why they received me, but I myself, when I was dressing to come here, I took off that business suit (EXCLAMATIONS) and I put on this clothing [fatigues], which is what I have worn for so many years until international diplomacy obligated me, not long ago, to put on a guayabera [4-pocket shirt] (EXCLAMATIONS).

I found that I didn't have a single guayabera; they loaned me guayaberas, they mobilized I don't know how many people; they made guayaberas at night. I had to go the next day. They tried it on me in the morning and it was really so large that I, jokingly, told my friends—I referred to a person with whom I have had contradictions, but whom I could later meet, he was President of a Latin American country: "Hey, listen, you made me that fatso's guayabera." (LAUGHTER) They had to run, recut, but I had to put on that guayabera.

..we became few, sometimes less than 10, sometimes 12; but our adversaries were something like 8,000, and at the end, in 25 months our Revolution defeated the army.

Afterwards, I tell it all to a friend who had a designer, daughter in Holland or England. That family had had relations with Cuba for a long time. Because I found I didn't have any suits, they offered me the services of the family to make me a suit. Well, in reality they made me three or four. But as far as suits go I tell you that I knew nothing, nothing, nothing—not the material, not the shirt, not the tie, nor the cuff links, and to put on the cuff links in a hurry (EXCLAMATIONS), pointy shoes, but my feet were no longer accustomed to that. I wore old, worn-out boots, not out of poverty but out of habit. I was so fond of my boots that I didn't want to take them off. I ended up with guayabera, suit, tie, shirts, cuff links, shoes, that I don't put on because I can't (LAUGHTER), and finally ... well, now I am an honorable gentleman. (APPLAUSE)



President Fidel Castro who recently spoke in Harlem with members from the Malcolm X Symposium in Havana

In the summit meetings—and every once in a while there is a summit, that in Copenhagen, the meeting on social development in Paris—in all the places I take this off [referring to his army suit] and afterwards I change for the protocol visits, the museums, everything. And then, well, I don't know if I have become civilized, (LAUGHTER) because I didn't want to foster the impression that I was going to go there as a military man, or something like that, that I didn't study that career [of military] and there was no choice than to have to fight, to have to learn. We fought some wars and the interesting thing is that we won them. (APPLAUSE AND EXCLAMATIONS) Ours was very difficult, but I am not going to give you that history, because we became few, sometimes less than 10, sometimes 12; but our adversaries were something like 8,000, and at the end, in 25 months our Revolution defeated the army. (APPLAUSE) It defeated it totally, in open combat, making guerrilla war; and later, a combination of irregular war. We had learned the trade.

But we liked that clothing and we stayed with it; I always stayed with it. I felt very comfortable because I didn't have to follow styles.

Well, I was telling you that I went to the [Cuban] Embassy mission—I am well accepted there—to put on this clothing, because I said: If the other time [visit to Harlem in 1960] I went with this clothing, how am I going to show up in Harlem dressed like a gentleman? (APPLAUSE)

I thought about these things, but suddenly it occurred to me to think about the same thing I was saying: What do I do in Harlem tonight? What do I do? What do I say? Because in the United Nations I can say some things, but here we don't have diplomatic immunity and I can't speak with complete freedom. (EXCLAMATIONS) If I am careful there, I also have to be careful here. No one should think I am meddling with the internal affairs of the United States (EXCLAMATIONS). I swear to you that I am not going to get into anything that is not just.(LAUGHTER) But some abstract, generic, halfway philosophical things can be said.(LAUGHTER) What do I say? What do I talk about? Then I remembered that I did indeed have things to say, things to talk about, without violating any law, without falling in the hands of a jurisdictional court; (LAUGHTER) although I would hope that in that case you would go visit me. (LAUGHTER)

I remembered well those days, with much gratitude, and I said: I have to come to Harlem, I have to come to salute my Harlem brothers and together with them, the Latin American brothers, the brothers of Puerto Rico,(EXCLAMATIONS and APPLAUSE) sisters and brothers, and some spoke, mentioned here that there were events, and various things. Yesterday there was a dinner (LAUGHTER and APPLAUSE); but I believe that the mayor said that I was a demon and that one couldn't invite a demon to dinner. I said, "Dang! I'm going to go hungry the first day in New York. (EXCLAMATIONS and LAUGHTER) Afterwards, they told me that there was a concert, put on by the United Nations; but the orchestra was municipal, and the city government—or the mayor—said that there was no way that that orchestra could play where the "demon" was. How strange!

A friendly family, rich, a group of business people, invited me to dinner, invited the "demon." (LAUGHTER) Paradoxes, and we should cheer up, because there are a lot more people who understand that all that business of blockades is absurd, crazy (APPLAUSE) and many businessmen are today opposed to the blockade and struggle against the blockade.

All right, I am not here because they didn't invite me to a dinner yesterday. (LAUGHTER) Nor am I here because they didn't invite me to a dinner today. No, today there is a dinner too, and I am excluded not for being the "demon." They haven't treated me so bad; but, well, I don't know if I would harm any kind of political activity. If they had invited me to city hall, I would have had to go as elementary courtesy; if they had invited me to the Philharmonic I would have had to go for reasons of elementary courtesy and even for elemental patience, not because I was going to be bored in that concert, but, hey, that business of being surrounded with heads of state all the time can be unbearable. (APPLAUSE)

If I can assure you of one thing, it is that I would have attended the dinner the friendly business people invited me to and I never would have failed to come to the reception with you, (EXCLAMATIONS and APPLAUSE) because the first thing that I did when we talked over plans was to propose my desire to visit the Hotel Theresa and meet again with you in Harlem (APPLAUSE). Nobody will be able to say that I created a meeting tonight. There were others who held dinners, things like that and excluded me. Then I had more time with which to quickly comply with that desire.

The other time [1960] was for me really unforgettable, because the hostility from all over was such, there was so much propaganda, that I went through an area and they did this (Signals thumbs down). I didn't know what that meant, but I figured out that it wasn't very friendly. (LAUGHTER) But everything changed when I got to Harlem. Everybody did like this (Signals thumbs up) (EXCLAMATIONS and APPLAUSE).

To be continued next issue

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Solution

Continued from page 1

base for American business, and that the economy is faltering without adequate spending power for the majority of workers," said SOC team member Sekou Jamal Amin in Rochester. "Low-income and minority communities, watching all the businesses close down in our neighborhoods, have known that for a long time. We don't need anyone to add how generous they can afford to be this year — we need enough money to live on, however much that is, wherever we have to live on that money." SOC representatives noted corporate CEO's make salaries as high as 1000 times that of workers — a fact no nominal increase in minimum wage rates will change. "The minimum tends to become the maximum," said Mr. Amin, "and when people are unemployed, even those rates are unenforcible."

In fact money has been concentrating into fewer hands in the U.S. ever since 1968 — the year Martin Luther King and Robert Kennedy were assassinated, the year of the Tet offensive in Vietnam, the year Richard Nixon was elected president with 43% of the vote, a vote consisting of only 25% of the adult population. One percent of the people now own 40% of the wealth, twice what it was 25 years ago.

Mike Concha, head of the Public Defenders Office in Long Beach and board member of the Southern California Coalition of Concerned Legal Professionals (CCLP) spoke out to the commission, "I deal everyday with people who do not have enough income to purchase legal representation and that certainly includes anyone who makes minimum wage. According to the government's own statistics, one out of five children go to bed hungry each night. Their parents are faced with the daily crime of child abuse for starving their children. Is it any surprise those parents choose stealing to feed their children over child abuse?

"I have had to work with people who are prosecuted under the 'three strikes law.' Many of the defendants committed their last crime decades ago. In some cases, as long as thrirty years ago! Most defendants committed their 'third strike' in their desperate economic situation, such as one man who stole one package of girl's underwear for his daughter.

"Only once they land in prison, they find work. In 1989, wages for inmates were between 56 cents and $3.62 a day. The 'three strikes' law sends low-income workers behind bars for twenty-five years to life, doing the jobs they couldn't find on the outside at almost no pay. Those paid to work are being laid off and replaced by prisoners. Virtually the only industries that are growing today are the ones that are locking people up. More than [illegible] million Americans are under correction authorities. The U.S. government spends more money on prison industry today than it spends on education, more than it spends on medical care, more than on housing programs, etc."

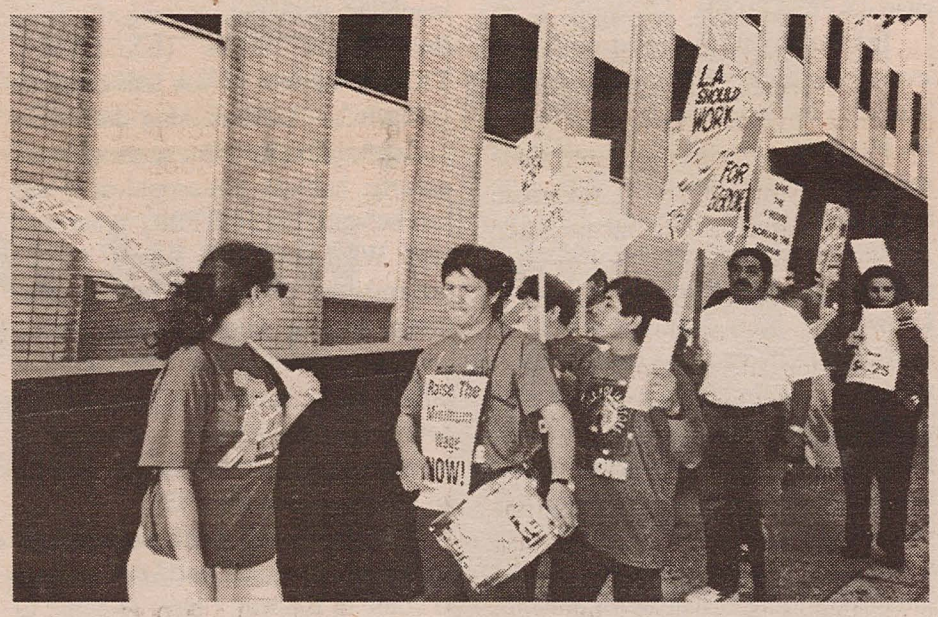
A study done in an effort to determine the growing gap between income and wages in America, conducted by the Rand Corporation this fall, concluded that none of the traditional excuses for impoverishing 80% of the American people, those who derive their income from working a job, were valid, and that wages are not getting lower because of immigration, deindustrialization, international competition, technological changes or deunionization but due to some combination of all of these.

Immigration

The Rand study concluded that based on the research to date, the impact of immigration on the national or regional wage distribution is "uncertain." A study of 24 cities in the United States during the 1980s found "weak evidence" of a relationship between the share of immigrants in the labor force and the level and shape of the wage distribution. Despite the cries of the proponents of California's proposition 187 and other labor legislation posing as anti-immigrant legislation, there is no evidence, even from among mainstream researchers to prove that immigration, legal or illegal, is the cause of working peoples' impoverishment.

Follow the money trail

"This whole thing comes at a time when cuts in capital gains taxes from 28 percent to 20 percent will surely encourage capitalist speculators and investors to cash in their massive stock holdings for megaprofits, leaving the small-time investors in panic, as the stock market drops. But we noticed no layoffs of federal cops and judges, or closing of prisons, filled mostly with black males and the poor from working class communities, were effected," stated Melvin Dickson, *Commemorator* editor. "In general, the prison industry, especially private prisons, is one of the most lucrative and fastest growing businesses on the U.S. scene today. So we follow the money trail and it is not hard to figure it out from there. That's why we expect a lot of dollars will be going into the thriving prison industrial complex, where slave labor already exists, where Coca-Cola, Servomation, Sony, General Motors (which owns over 30 percent of Toyota) Sears, Roebuck & Co., etc. all have a stake in the prison industry, where there is a captivated labor pool with built-in market place, without any public scrutiny.



Picketers above demands for living wage is catching on across the state and nation

Service industry

"Deindustrialization, the country's turn away from production and towards a service economy, has also been blamed for the nation's shameful lowering of wages and income since manufacturing jobs pay higher wages generally than service sector jobs, like restaurant jobs, etc.

Affirmative action

The Rand study, using figures from the March Current Population Survey for 1973 - 1990, showed little impact on decreasing impoverishment of the minorities in this nation, through affirmative action programs. In the study the trend revealed from 1973 to 1990 was "...the inequality (in income) increased to a greater degree among families headed by minorities compared with white families." With 20 years of affirmative action and 1000s of black elected officials, the conditions of the black community has only gotten worse and this report says as much."

International competition

The study showed that the increase in "openness" of the economy means that skilled workers in the United States find themselves competing with equally skilled workers in other countries having access to similar technology but paid lower wages. What this section of the report really reveals to us is an international competition of wage earners, working people being pitted against one another in pursuit of a living income," said Melvin Dickson of CCBPP. "It shows how corporate war for market share is fought by and with working families. It shows how, when war is waged by international corporations, for international control of international markets, the casualties are suffered primarily by the working people of those nations involved, win or lose. I mean, who wins if a U.S. worker accepts lower wages, to compete with a worker in Mexico, or India. The Indian worker loses the job and goes hungry, the U.S. worker gets the job and goes hungry. The corporation reaps the benefits in the form of profits from cheaper labor costs."

Both the Bush and the Clinton Adminstrations' support for the North American Free Trade Agreement (NAFTA) has undermined the economic standing of workers in both the U.S. and Mexico. Public Citizen, a Washington advocacy organization, said its surveys of nearly 60 companies the government expected would add jobs under NAFTA found that those firms did not even come close to fulfilling job-growth expectations. It has been estimated that the surging trade deficit with Mexico has cost 225,000 jobs in the United States, while Mexico, crushed by debt and a fall in the peso, is in an economic struggle, giving cause to a liberation movement, the Zapatista rebels which launched a rebellion on 1 January 1994.

"It is with an international framework that we need to grasp what is happening locally, because the world has become very small, and local conditions and economies are no longer things in themselves, as we were taught by past orientation," stated CCBPP labor consultant Leroy Dupree. "A winning approach has to be based on a basic understanding: That the various levels of exploitation and oppression, workers in the U.S., in Mexico, in Nigeria, in the Phillipines, in Western and Eastern Europe are in the same boat, oppressed by the same enemy. Therefore we are akin whether we like it or not, and the only way to fight and win is to unite on the basic needs we have in common— and not focus on our differences as a main point of address."

The most significant conclusion was, however, that "despite the efforts of a number of researchers, we do not yet have a complete systemic accounting of the various factors that have contributed to the rise in income and wage inequality."

"In other words, the nation's educated, trained and financed researchers are unable or unwilling to indentify, reveal and attack for us the source of our people's oppression," noted Dickson.

"That's ok!," according to Raymond Joe, Commemorator Staff, "Poor and working families really don't need to wait for statisticians and researchers to tell them they are getting poorer, and we don't need them to

Continued on page 12

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Spiritual Advisor

Continued from page 1

is now demanding compensation from the state for his work.

The prison industry, with its booming multi-billion dollar budget from tax-payers' hard earned money, should have ample funds to provide Native American inmates the necessary resources to carry out traditional religious practices, with dignity and respect according to Native American Gregory West of the Intertribal Spiritual Commission, but it does not. "Parity is the key word...we are not like anything anyone has seen before; because they've never looked...Native Americans make up one percent of the population; and 50 percent of that one percent are incarcerated." West has been actively involved in developing and maintaining relations with the Department of Corrections for the last 5 years struggling to enforce the Federal Court Order, *Sample vs. Borg,* as it pertains to the rights of Native American prisoners.

The late (and respected) Isidro Gali, Native American spiritual advisor (left), and Fred Short (right), who, to this day, continues to struggle for the rights of his people, despite the California Corrections Dept., which receives billions of taxes dollars.

The *Sample vs. Borg* decision, mandated that the state protect Native American inmates' rights to practice their traditional religion just as other religions have that right.

Though the state hires "chaplains" for civil-service jobs, making them paid-employees of the state, American Indian spiritual advisers are encouraged by the state to volunteer at the prison facilities without pay. Indian Spiritual Advisors hired by the state allow individual institutions to hire the advisor through a licensed contractor.

This type of relationship allows the state to proclaim its compliance with Federal law while it relieves the state Corrections Department in general and the state institution in specific of any obligation to the contracted spiritual advisor and any responsibility for removing obstacles, financial and legal or otherwise, to providing the necessary religious items for the services so that Indian people can practice their traditional religion in "a respectable and dignified way."

In Short's case, the states itself contracting process has proven to be an obstacle. Short states he has not received compensation for his work for over four months. In that time he has had to lead religious ceremonies, provide special items, including money for gas mileage and religious items, out of his own pocket. Now, "They say I need to buy a business license, but this is not a business, other religious counselors, chaplains and priests of other faiths are paid a full salary. And that is the point. Why are not Native American religious counselors given the same status and resources to practice their tradition, as other forms of religious worship?"

"When Isidoro Gali [the only Native American spiritual counselor throughout the state hired as a civil service chaplain by the California Corrections Department] took seriously ill, Fred recognized that unless the state hired more spiritual advisors inside the prisons to counsel the Indian population and head up the religious ceremonies not only would no one be left to replace Isidoro," stated Darlene Brown, a Native American who lives in the San JoaquinValley, "but we would have lost the only official Native American Spiritual Advisor our incarcerated people have. A few months ago, Isidoro died and after Fred and I attended his funeral, Fred decided to fast to bring attention to the type of discrimination American Indian people face inside these prisons."

"The American Indian is discriminated against by the state, always has been and under the current system always will be," said Gary Johnson , *Commemorator* managing editor , "for the exact same reason as the African American is oppressed and and the low income working American (black, brown, white and red or yellow) is oppressed. That reason is economic, not race, creed, color, religion or national origin."

American Indians, once recognized, cost the state money, which is the reason Native Americans, unlike any other group, must prove their racial claim to the state.

Native Americans owned land by right of possession, law and deed. They were oppressed and attacked from the start by wealthy invaders of European descent, as the United States coalesced as a nation, via their military, laws, anti-Indian propaganda and the press.

Racialism, recrimination and oppression of American Indians has always been an economic issue, just as oppression of the black man as slave was to exploit his labor.

Fred Short's demand to bring American Indians onto the California state payroll as civil servants would cost the state money, more money than they want to spend. It is highly probable that soon, all religious services, just as has been done with food, and medical services to state immates, will be contracted out to the lowest bidder, according to Short..

"At the present time the weakest, smaller, less organized religions are treated practically as non-entity," explained Johnson. Under the "Unfunded Mandate" provision, recently pushed by conservative politicians on the left and right, the federal government may no longer be able to order states to provide religious counsel for any inmates, unless the feds themselves are willing to fund the cost of the service. This could lead to dropping the services altogether, or to seriously decreasing their quantity and quality.

The following is a letter from Fred Short to the *Commemorator* Editor.

Melvin,

The discrimination charges were against Dick Nelson, who is in charge of Death Row and inmates in lock-down or protective custody, and a couple more people, who, throughout the three years that I worked there, were always trying to undermine what I was doing. Mr. Nelson says I can't provide counselling to Death Row inmates myself, because I'm an ex-felon. But I see other religious leaders go up there who are ex-cons also. I've had my record expunged over 23 or 24 years ago by Mrs. Ure, a Superior Court Judge in Sacramento. I received recognition for who I am, and references from a lot of our own directors and chiefs here in California and the United States.

This guy named Jonathan Hill, I believe, works for the Fed.'s. He has done nothing but lie and cut budgets, already in existence for American Indian prisoners. I've had to sell my van to pay for the apartment I was staying in, so I could move out with some resources again. I'm waiting for a letter from the "Forum of Spiritual and Parliamentary Leaders on Human Survival" on this matter. They are a board in New York which represents the world in religious events.

"What I was trying to say in my 27 day fast was,...I wanted United Council of Churches to hear...I am asking for them, and whoever it takes, to help get our own traditional Indian Medicine people on every reservation we have to get help or be paid in some way by the government. They paid to set up other churches and ministers, but not for our own people. For American Indian religion to survive, we must teach our own ceremonies."

Thank you.
Fred Short.

Government Funding and Other Disasters

By Tom Eaglefeather

Native Americans have been entangled in federal and state government funding ever since the first treaty granting land for European settlement. Treaties generally provided for perpetual annual payment, because the nation giving up its land could no longer support itself off the land it gave up.

In 1788 a land company authorized by the state of Massachusetts bought a third of the territory of the Seneca for $5000 and an annuity of $500 per year. Certain Iroquois lands were acquired through a 999 year lease in 1787. Plains nations including the Lakota, Arapaho, Cheyenne and others were promised cattle, food, building materials, and annual quantities of supplies and money, most of which were reneged on.

In 1924, the federal government recognized Native Americans as citizens of the USA, although none agreed to give up their treaty rights as sovereign nations. Federal payments under treaty were rapidly redefined by the government as forms of "welfare," or "assistance." The so-called War on Poverty in the 1960's threw programs at reservation and urban natives alike. Activists of every race in every part of the United States fell into the trap of seeking government grants to fund programs for community betterment, cultural preservation, economic transformation.

Great wealth has been concentrated into fewer and fewer hands at the expense of the majority of those living on this continent, who are entitled to recover the fruits of their labor by, as Malcolm X said, "any means necessary." No attempt to organize any community, nation or class for this purpose has ever endured for long where it has sought or relied on financial support from its avowed adversary. In the words of a recently deceased African-American domestic worker, "You can't fight the man if you take his money."

Organizations that have survived the last twenty dark, dismal years have done so by organizing their sustenance directly from the community they serve and others allied to them. Any of these survivors welcome concerned individuals and independent organizations who want on the job training.

Slave Train

Continued from page 3

As of October 4,1995, the court has failed to rule on legal documents I filed, which show the court's failure to pass a decision on my 1965 plea of former jeopardy. At that time, I was muzzled and chained in the presence of the jury for appropriately objecting to the false representation that had led to my imprisonment.

The transcript of my litigation can be read at the offices of the Commemoration Committee for The Black Panther Party.

L.A. District Attorney Gil Garcetti has no credibility in disputing the facts of police frame-ups staring the court in the face. The court fears the disclosure of several portions of the May 27, 1963 trial reporter's transcript because the record shows a pattern of false guilty pleas by officers of the court who tricked jurors. Each time, the District Attorney and court judge instructed the jury and convicted me on a guilty plea entered by a court-appointed lawyer.

I don't know if the jurors were actually registered jurors, or just plain state police. But I do know that they were hidden behind closed doors and determined that I was guilty as charged on the basis of a sham guilty plea. The record shows that I pled not-guilty and testified against the frame-up.

Suppression of Jury Acquittal

In my 1973 trial, 12 San Francisco County jurors found me not guilty of the kidnap charge stemming from the August 7, 1970 slave rebellion.

On April 3, 1973, Trial Judge Morton Colvin ordered a mistrial without recording the jury's verdict of acquittal.

Dissatisfied with concealment of the acquittal verdict, the jury foreman, B. Suares, joined by other jurors, filed an April 27,1973 declaration stating" That in the course of the jury's deliberation (which commenced on March 26, 1973 and which were terminated on April 3, 1973) all twelve jurors...agreed that the defendant was not guilty of violating P.C.209 (kidnapping for purposes of extortion)...The jury was deadlocked on the lesser included offense (simple kidnap) P.C. 207."

On May 26, 1973, the case was transferred to Santa Clara County for a second trial.

The Murder Charge was Dismissed

On January 3, 1975, Judge William Ingram issued a life sentence on the pretense that the jury changed or impeached its verdict on the kidnap charge.

I have made appeal to the Appellate Courts of jurisdiction, showing mistakes in the facts and in the law whereby the trial judge failed to hold a hearing and allow the jurors to read their verdicts in open court, and then to have their verdict recorded. The judges refused to address this issue - because if the acquittal were honored, it would open the L. A. County case and expose the frame-up within a frame-up.

I shifted my strategy by appealing to the U. S. Congress, House Judiciary Committee, asking approval of a bill assigning independent judicial review into the conduct of judges who deny the right of defendants to be heard in slavery cover-ups. If the judges follow the law, my conviction must be reversed.

Concerned Readers can help by:

1) Calling the L. A. County Clerk and asking for the identity of the judge presiding in the case of People V. Ruchell Magee, No. 272227. Telephone: (213) 974-5270.

2) Asking if a date has been set for a hearing in the writ of coram nobis, filed September 5, 1995. (The writ shows that the life sentence issued August 23, 1963 is defective on its face.)

Government officials must be made aware that they are being watched by those who oppose racism. These judges must come into the open with these records, or admit to the destruction of evidence and to the denial of justice in cover-ups and frame-ups.

Keep the pigs running!

Think about it. If 33 years in prison for kidnap in a $10 robbery isn't an ugly race issue, what is it?

I remain,
Ruchell Cinque Magee

Real story?

Continued from page 2

alone — they organized and were willing to give their lives for their rights, and live for their rights.

A poem written by Claude McKay a famous black poet, titled If We Must Die, shows the fighting spirit of our ancestors a mentality we must regain, pass on and then introduce to the powers that be within organized class struggle.

If we must die

If we must die let it not be like hogs
hunted and penned in an
inglorious spot.
While round us bark mad and hungry dogs,
making their mock at our accursed
lot.
If we must die,
O let us nobly die.
So that our precious blood may not
be shed in vain;
then even the monsters we defy shall
be
constrained to honor us though
DEAD!
O kinsmen! we must meet the common foe!
Though far outnumbered let us
show brave, and for their
thousand blows deal one death
blow!
What though
before us lies the open grave?
Like men we'll face the murderous,
cowardly pack,
pressed to the wall dying, but
FIGHTING BACK!

CC & Beyond ART GALLERY

Abdur Rashiyd Ibrahim Abdullah Muhammad
Curator

August, 1995
MEMO FROM: Abdur Rashiyd Abdullah Muhammad
SUBJECT: Art Buying and Selling

My name is Abdur Muhammad. I was incarcerated at the James River Correctional Center from 1990 to 1993. During my period of incarceration, I was privileged, through the will of Allah (God), to see firsthand the distinguished works of many talented artists.

Upon my release, my daughter and I founded CC & Beyond, an art gallery located in San Francisco, California which displays and sells art, including the works of male and female inmates from correctional facilities throughout the country. We purchase art directly and display art on consignment.

We specialize in watercolors, oil paintings and sketches which depict African-American themes. While our concentration is African-American themes, we are interested in other creative artwork.

If you are interested in selling your works or placing them on consignment and would like to know how we can help, please complete and return the attached coupon.

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Yes, I am an artist and I am interested in receiving more information about CC & Beyond.

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CCBPP STATEMENT OF PURPOSE

The Commemoration Committee for the Black Panther Party (CCBPP) is committed to the goals of the Black Panther Party (BPP) as outlined in its Ten Point Program which was written in 1966 by the Black Panther Party founders, Dr. Huey P. Newton and Bobby Seale.

The Ten Point Program outlined the goals and objectives toward changing conditions of economic exploitation and political oppression in all low-income and working communities of the U.S. and elsewhere, as the basis for unity and solidarity.

Also, the CCBPP is committed to the concept of Revolutionary Intercommunalism, introduced by Dr. Newton in 1970 at Boston College. Revolutionary Intercommunalism holds that there are basically two sides. On one side there is Reactionary Intercommunalism which presently holds the world's low-income and working communities under conditions of economic exploitation and political oppression by controlling the wealth, resources and institutions in order to maximize profits for the few. Huey identified this side as the leading reactionary side (that of the ruling class) which consists of a minority, fewer than five percent of the world population. Under these conditions, reactionary intercommunalism, by and large, keeps the poor and working communities on a cycle of degradation, under conditions of reaction, desperation and poverty, with no end in sight. Newton understood that in order to change these conditions and advance the economic and cultural interests of these oppressed communities of the world, disciplined organizations must be built from the bottom up, enabling these low-income and working communities to fight exploitation and oppression by any means necessary (this fight needs to start in the advanced industrialized U.S. because our nation leads the world in political reaction and economic exploitation).

CCBPP advances and upholds the goals which the BPP outlined in its Ten Point Program, and those goals are about ridding black ghettos and low-income and working communities of economic exploitation and political oppression, understanding that we can reach these goals only by seizing the time at the point of practice.

Black Panther Party 10-Point Program

WHAT WE WANT, WHAT WE BELIEVE

1. WE WANT FREEDOM. WE WANT POWER TO DETERMINE THE DESTINY OF OUR BLACK AND OPPRESSED COMMUNITIES. We believe that Black and oppressed people will not be free until we are able to determine our destinies in our own communities ourselves, by fully controlling all the institutions that exist in our communities.

2. WE WANT FULL EMPLOYMENT FOR OUR PEOPLE. We believe that the federal government is responsible and obligated to give every person employment or a guaranteed income. We believe that if the American businessmen will not give full employment, then the technology and means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all its people and give a high standard of living.

3. WE WANT AN END TO THE ROBBERY BY THE CAPITALIST OF OUR BLACK AND OPPRESSED COMMUNITIES. We believe that the racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules were promised 100 years ago as restitution for slave labor and mass murder of Black people. We will accept the payment in currency that will be distributed to our many communities. The American racist has taken part in the slaughter of over fifty million Black people. Therefore, we feel this is a modest demand that we make.

4. WE WANT DECENT HOUSING, FIT FOR THE SHELTER OF HUMAN BEINGS. We believe that if the landlords will not give decent housing to our Black and oppressed communities, then housing and the land should be made into cooperatives so that the people in our communities, with government aid, can build and make decent housing for the people.

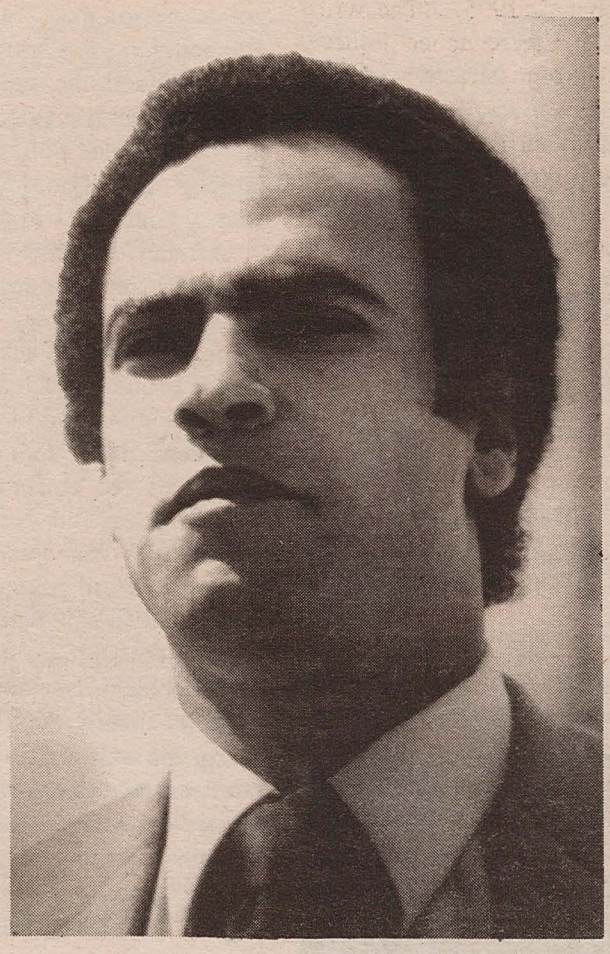
5. WE WANT EDUCATION FOR OUR PEOPLE THAT EXPOSES THE TRUE NATURE OF THIS DECADENT AMERICAN SOCIETY. WE WANT EDUCATION THAT TEACHES US OUR TRUE HISTORY AND OUR ROLE IN THE PRESENT-DAY SOCIETY. We believe in an educational system that will give to our people a knowledge of self. If you do not have knowledge of yourself and your position in the society and the world, then you will have little chance to know anything else.

6. WE WANT COMPLETELY FREE HEALTH CARE FOR ALL BLACK AND OPPRESSED PEOPLE. We believe that the government must provide, free of charge, for the people, health facilities that will not only treat our illnesses, most of which have come about because of our oppression, but will also develop preventive medical programs to guarantee our future survival. We believe that mass health education and research programs must be developed to give all Black and oppressed people access to advanced scientific and medical information, so we may provide ourselves with proper medical attention and care.

7. WE WANT AN IMMEDIATE END TO POLICE BRUTALITY AND MURDER OF BLACK PEOPLE, OTHER PEOPLE OF COLOR, ALL OPPRESSED PEOPLE INSIDE THE UNITED STATES. We believe that the racist and fascist government of the United States uses its domestic enforcement agencies to carry out its program of oppression against Black people, other people of color, and poor people inside the United States. We believe it's our right, therefore, to defend ourselves against such armed forces and that all Black and oppressed people should be armed for self-defense of our homes and communities against these fascist police forces.

8. WE WANT AN IMMEDIATE END TO ALL WARS OF AGGRESSION. We believe that the various conflicts that exist around the world stem directly from the aggressive desires of the U.S. ruling circle and government to force its domination upon the oppressed people of the world. We believe that if the U.S. government or its lackeys do not cease these aggressive wars that it is the right of the people to defend themselves by any means necessary against their aggressors.

9. WE WANT FREEDOM FOR ALL BLACK AND OPPRESSED PEOPLE NOW HELD IN U.S. FEDERAL, STATE, COUNTY, CITY, AND MILITARY PRISONS AND JAILS. WE WANT TRIALS BY A JURY OF PEERS FOR ALL PERSONS CHARGED WITH SO-CALLED CRIMES UNDER THE LAWS OF THIS COUNTRY. We believe that the many Black and poor oppressed people now held in U.S. prisons and jails have not received fair and impartial trials under a racist and fascist judicial system and should be free from incarceration. We believe in the ultimate elimination of all wretched, inhuman penal institutions, because the masses of men and women imprisoned inside the United States or by the U.S. military are the victims of oppressive conditions that are the real cause of their imprisonment. We believe that when persons are brought to trial that they must be guaranteed, by the United States, juries of their peers, attorneys of their choice and freedom from imprisonment while awaiting trials.



Black Panther Founder, Dr. Huey P. Newton

10. WE WANT LAND, BREAD, HOUSING, EDUCATION, CLOTHING, JUSTICE, PEACE AND PEOPLE'S COMMUNITY CONTROL OF MODERN TECHNOLOGY. When, during human events, it becomes necessary for one people to dissolve the political bands that have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

The record

Continued from page 2

and turning and twisting the testimony of witnesses to fit their rendition of the crime for which they are also charged or presenting one-sided accounts aimed at scapegoating a political adversary.

The rise of police frame-ups and corruption in the criminal justice system did not start with 12-year veteran police officer Mark Fuhrman's rendition of routine practices of misuse and abuse of the law by officers charged with upholding the law.

Police in Philadelphia and Atlanta have recently faced charges ranging from the shakedowns of drug dealers to extortion of money from citizens in exchange for police protection to frame-ups of members from low-income communities on drug charges. Five policemen in Philadelphia pled guilty in Federal court to civil rights charges, based on accusations that they had planted phony evidence, falsified police records and lied in court. According to the government's recent figures, over 90 % of those incarcerated are from low-income communities and cannot adequately afford defense counsel.

"It is a standard practice not to follow procedures when investigating crime," stated a former fifteen-year veteran of the San Francisco Police Department, who resigned from his job due to frustration and chose to remain anonymous. "It 's less work and money for the department to make the evidence from the investigations conform to a convenient suspect than to follow the protocol. Most policemen are overworked and are caught up between a rock and a hard place. First of all, they are not properly trained to deal with most of the situations which occur in the low-income communities they are in charge of. So, when a crime occurs the officers are at a loss, while their supervisors are putting pressure on them, and politicians are putting pressure on the supervisors, because the politicians want to get re-elected. Police officers know that it's bad for their career when they do not produce positive results in relation to percentage of arrests, just as prosecutors and district attorneys also know that they must get convictions in order to advance their careers. These are standard practices. The main reason O.J. was able to win is that he could afford a first-rate defense."

Racial politics and the U.S. criminal justice system

Former Black Panther Party leader Geronimo ji-Jaga (Pratt), also framed by the FBI, continues to fight for justice. Based on the Freedom of Information Act and the FBI's own records, he was clearly targeted for arrest for his political beliefs and organizing activities in the late 1960s and early 1970s. He has been incarcerated in California prisons for 25 years.

In 1973, Ruchell Magee was found "not guilty" by a jury of violating California's Penal Code 209 (kidnapping to extort), for the August 7, 1970 inmates rebellion, led by 17 year-old Johnathan Jackson, in the Marin County court building, of which Magee was the only survivor. Five people were murdered by San Quentin prison guards, including Judge Harold Haley. Magee was retried in Santa Clara County and found guilty through the district attorney's jury-tampering, and conspiring with judges.

"In every case of concealment of jury acquittal, there is a political motive," wrote Magee recently. "Many times upon the Appellate Court's ordering the acquittal honored, the political motive never comes to light. Only the issue of double jeopardy addresses violations of the 5th amendment prohibition against second prosecution for the same offense."

Kevin Cooper was convicted of a multiple murder in Southern California in 1983. He was in the area where the murders occurred, and was a fugitive from the law. The sheriff's department decided Cooper was the guilty person before they even had him in custody. No attempt was made to investigate an extremely contaminated crime scene, where unreliable blood testing and forensic work and planted evidence were used. Despite the fact that no motive was found and an eyewitness reported spotting the car that was stolen from the crime area being driven by three white males, Cooper was convicted of the crime. Kevin is an African American, and so was much easier to convict, since the victims were affluent whites.

Lester Hamilton, another indigent African American inmate from Los Angeles, has spent over 23 years in California state prison because he did not have adequate legal counsel. At the age of 19 he was charged and convicted of murdering his two-year-old child by a fire, an accident in which he and his wife were badly burned. The prosecutor was able to win a conviction, knowing that the death of the child was an accident. The California penal system found him guilty of first degree murder.

Jeffery Hersey, another indigent black inmate from San Mateo County, is serving a 29-year sentence in Pelican Bay since 1990 for attempted robbery of a house, a case in which all evidence shows that he did not commit any crime. With evidence that he was not the person that is supposed to have attempted to rob a house in an affluent neighborhood, the judge and the D.A. won a conviction against him, despite the fact that the police failed to thoroughly investigate the scene. Mr. Hersey could not afford legal counsel.

African American police officer Gary Griffins, a member of the East Orange, New Jersey police department, and the Black Cops Against Police Brutality (B-CAP), pointed out to the Commemorator recently, "It is important to note that the recent revelations of the corruption within the Los Angeles and New York police departments has opened the door to what has been going on for a long time. And in the Philadelphia police department's infamous brutality toward blacks is what the black and minority convict has been saying all along: the only reason that they have not been able to murder Mumia Abu-Jamal is because there are massive organizations that support him. Don't get me wrong, I'm for punishing those who break the law, but there are far too many people who are victimized by the criminal justice system, and it's not just a case of one bad cop, but the entire system.

Police frame-ups and corruption are not just acts of bad apples. The whole barrel is contaminated, and these epiphenomenal activities serve a specific function.

Understanding the problem

The nature of society's structure and the role of the police in the society must be examined.

All but two percent of the population recognize that the police are merely lackeys of the larger power and money brokers who control this nation's economy. The police system exists solely to protect the interests and property of the wealthy and multinational corporations to orchestrate policies beneficial to garnering the largest profit margins possible. As organized labor forces dwindle to the smallest percentage in fifty years, people are forced to try to survive on minimum wage jobs, or to take desperate measures. Lawmakers in Congress announce daily the plans to cut social services of all forms for the poor and the elderly, in medical care, education, housing and food. As the services are taken away, billions of dollars are poured into hiring a million more police, and into building more prisons across the country. What is the cheapest form of labor? Of course, we say, that which is free. What is the most efficient manner in which to generate more profit in a failing economy—cut labor cost? How does one reinstall slavery in a country with a sociology abhorrent to the idea? The solution is to be seen clearly in today's American society: open up prisons to private corporations to "employ" inmates in "job-training" programs, where wages are low and/or non-existent. Laws such as the infamous "three strikes" in California facilitate adding greater numbbers of potential laborers to the prison rolls. Police collaboration to "frame" so-called criminals must be seen in this light of the larger economic picture.

Until people from working class commmunities come to the understanding that people must come together in an organized fashion and stand as one against a system which clearly has gone amok in order to maintain control, people will continually be played off against one another, and we all lose power over our lives as a result.

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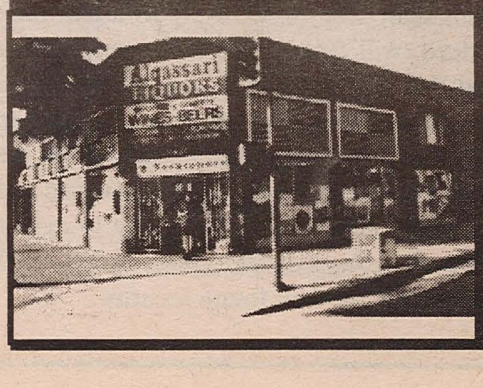

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Mohamed Alqassari

Solution

Continued from page 7

tell us how to turn that situation around. The minimum wage hearings throughout California in the fall and summer were testament to that."

November's federal budget crisis caused a virtual shutdown of federal government agencies, throwing millions of workers into unemployment and leaving the nation uncertain of its fate. As Congressmen debate how deep the nation's elderly will suffer Medicare cutbacks, managed care companies such as Foundation Health Plan have been quoted nationwide publicizing their profit levels in the billions. President Clinton's temporary budget solution is scheduled to run out as of 15 December, leaving the possibility of yet another shut down before the New Year imminent.

Less than 11% of the nation's workforce is unionized, according to the government's own figures. The recent unprecedented consolidation of three major labor unions of the AFL-CIO indicates that labor is in a defensive position in the country, according to Dupree.